

Entered - 06/01/98 - sb  
CL98L0375 - ALEXIS HOLMES

CLAIM OF: LAURA J. MILLS  
38-A Lenox Pointe  
Atlanta, Georgia 30324

01- R-1521

For damages alleged to have been sustained as a result of plumbing damage during installation of new water meter on April 15, 1998 at 38-A Lenox Pointe.

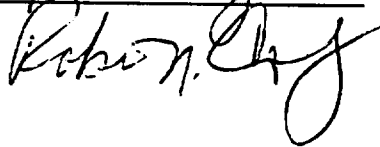
BY PUBLIC SAFETY AND  
LEGAL ADMINISTRATION COMMITTEE:

BE IT RESOLVED by the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to LAURA J. MILLS the sum of \$731.46 in full settlement and satisfaction of all claims, past, present and future, of every kind and character for damages alleged to have been sustained as a result of plumbing damage during installation of new water meter on April 15, 1998 at 38-A Lenox Pointe as is more particularly set forth in the within claim; said sum taken from and charged to account 2J01/529017/T31001, Settlement of Suits and Claims, Department of Law.

APPROVED: SUSAN PEASE LANGFORD  
CITY ATTORNEY

BY:

  
ROSALIND RUBENS NEWELL  
DEPUTY CITY ATTORNEY



C-1

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 98L0375

Date: September 5, 2001

Claimant /Victim LAURA J. MILLS

BY: (Atty)(Ins. Co.) \_\_\_\_\_

Address: 38-A Lenox Pointe, Atlanta, Georgia 30324

Subrogation: \_\_\_\_\_ Claim for Property damage \$ 731.46 Bodily Injury \$ \_\_\_\_\_

Date of Notice: 05/14/98 Method: Written, proper X Improper \_\_\_\_\_

Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X

Date of Occurrence 04/15/98 Place: 38-A Lenox Pointe

Department Water Division: \_\_\_\_\_

Employee involved \_\_\_\_\_ Disciplinary Action: \_\_\_\_\_

NATURE OF CLAIM: The claimant's plumbing was damaged when debris entered her pipes during the installation of a new water meter which caused plumbing expenses in the above amount.

INVESTIGATION:

Statements: City employee X Claimant \_\_\_\_\_ Others \_\_\_\_\_ Written \_\_\_\_\_ Oral X

Pictures \_\_\_\_\_ Diagrams \_\_\_\_\_ Reports: Police \_\_\_\_\_ Dept Report \_\_\_\_\_ Other \_\_\_\_\_

Traffic citations issued: City Driver \_\_\_\_\_ Claimant Driver \_\_\_\_\_

Citation disposition: City Driver \_\_\_\_\_ Claimant Driver \_\_\_\_\_

BASIS OF RECOMMENDATION:

Function: Governmental \_\_\_\_\_ Ministerial X

Improper Notice \_\_\_\_\_ More than Six Months \_\_\_\_\_ Other \_\_\_\_\_ Damages reasonable X

City not involved \_\_\_\_\_ Offer rejected \_\_\_\_\_ Compromise settlement \_\_\_\_\_

Repair/replacement by Ins. Co. \_\_\_\_\_ Repair/replacement by City Forces \_\_\_\_\_

Claimant Negligent \_\_\_\_\_ City Negligent X Joint \_\_\_\_\_ Claim Abandoned \_\_\_\_\_

Respectfully submitted,

  
INVESTIGATOR - DIANNE C. MITCHELL

RECOMMENDATION:

Pay \$ 731.46 Adverse \_\_\_\_\_ Account charged: 1A01 \_\_\_\_\_ 2J01 X 2H01 \_\_\_\_\_

Claims Manager:  Concur/date 09-25-01

Committee Action: \_\_\_\_\_ Council Action \_\_\_\_\_

COUNCIL OF THE CITY OF ATLANTA  
CLERK OF COUNCIL  
City Hall  
55 Trinity Avenue, S.W.  
Atlanta, Georgia 30335

REGISTERED CLAIM FOR DAMAGES  
MAY 14 1998  
MUNICIPAL CLERK

Today's Date: 5-12-98

ENTERED - 6-1-98 - SB  
98L0375 - ANTHONY OATIS

OCHS  
05/22/98  
Ph

Dear Clerk of Council:

This is to notify the City of Atlanta that I have suffered damages in the amount sum of \$ 731.46 property and/or \$ \_\_\_\_\_ bodily injury for which I contend the City is liable.

1. Date of incident: 4-15-97  
(month/day/year)

2. Police called: \_\_\_\_\_ X  
Yes No

3. Location of incident: LENOX ROAD

4. Name of your insurance company: PGE and BROWN Policy No. \_\_\_\_\_

5. State what and how incident occurred: water pressure meters where being changed and caused a blown "curve-cock" which resulted in restricted (NONE) water to our office - Finally, causing damage to our equipment

ALL ESTIMATES AND DAMAGES ARE SUBJECT TO INSPECTION. THE MAKING OF FALSE CLAIMS WILL RESULT IN YOUR CLAIM BEING DENIED AND MAY RESULT IN CRIMINAL PROSECUTION!

The registered owner must make the claim for vehicle damages, complete the following and attach two (2) estimates of repair and proof of ownership of your vehicle (copy of the current tag receipt or title).

Your vehicle: \_\_\_\_\_  
(make) (year) (tag number) (driver's name)

City vehicle: \_\_\_\_\_  
(make) (City driver's name) (department/bureau)

Witness: NANCY STERN 3457 Thorndale Dr Doraville 770 491 0471  
(name) (address) 30340 (telephone number)

The acknowledgement of this claim in no way waives the Governmental immunity of the City of Atlanta, as granted by State law, nor is it an admission of liability on behalf of the City of Atlanta and/or its employee(s).

6. This claim should be mailed immediately to the address shown above.

I HEREBY SWEAR OR AFFIRM THAT THE ABOVE INFORMATION IS TRUE AND CORRECT.

Laura J. Mills  
(claimant's name)

38-A Lenox Road  
(address)

Atlanta, GA 30324  
(city and state)

404-262-9600 404-2882060  
(work number) (home number)

June 12, 1997

City of Atlanta  
c/o Dorothy Henry  
Customer Service Office Manager  
55 Trinity Ave., S.W.  
Atlanta, GA 30335-0330

To Whom It May Concern:

On April 15, 1997 the water service to our dental office was disrupted due to work on the line (switching meters). We were not informed that our water would be off. Also, during the time the meters were being switched the water pressure caused a blown off "curve-cock" thereby restricting all water to our building for several hours. A dental office can not operate without water. Once water was restored we were not notified in time to flush our systems which resulted in air pockets, dirt and debris in our fragile, thin dental water lines. We were then faced with multiple leaks and clogs in our lines that have yet to be completely repaired.

We are requesting restitution for:

1. Lost revenue in the amount of \$600.00.
2. Reimbursement for service repair to the water lines in our dental office in the amount of \$131.46.
3. Deduction for the lost water from the leak at the street over and above our average water consumption at that time.

Thank you for your consideration in this matter.

Sincerely,



Laura J. Mills, D.D.S.

Enclosure

## GENERAL RELEASE AND INDEMNIFICATION

**CLAIM NUMBER** 98L0375

**\$ 731.46**

IN CONSIDERATION of the sum of SEVENTY HUNDRED THIRTY-ONE AND 46/100  
DOLLARS, to be paid by the CITY OF ATLANTA, the future receipt of which is hereby acknowledged,  
 I do hereby, for myself, my heirs, executors, administrators, and assigns, release and forever discharge said City,  
 its officers and employees, from any and all claims, demands, actions, causes of action, suits, damages, loss and  
 expenses, of whatsoever kind or nature for or on account of anything that has heretofore occurred, and particularly  
 for or on account of damage to plumbing during installation of new water meter

which occurred on or about the 15<sup>th</sup> day of April, 1998.

at or near 38-A Lenox Pointe

It is further understood and agreed that the payment of the above named sum is not to be considered as an admission on the part of the City, its officers, agents, servants or employees, of any liability whatsoever and the undersigned further covenants and agrees to indemnify and hold harmless the City of Atlanta, its officers, agents, servants and employees, from any and all claims, damages or costs which the said City of Atlanta, its officers, agents, servants and employees, may be called upon to make as a result of the event hereinbefore referred to.

And I now state that the only consideration for my signing this release and indemnification is the payment of the sum stated above; that no other promise or agreement of any kind or nature has been made to or with me by said City or its agents to cause me to sign this release, and that I fully understand the meaning and intent of this instrument.

WITNESS my hand and seal this 10 day of September, 2001.

*Laura J. Mills* (LS)  
LAURA J. MILLS

The above release was read and explained to, and signed by the said \_\_\_\_\_

Laura J. Mills

~~in~~ our presence on the date above written.

WITNESSES

01- *ℓ*-1521